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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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10/005,155

12/07/2001

Walter A. Nichols

033018-078

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04/26/2006

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EXAMINER

MITCHELL, TEENA KAY

ART UNIT

PAPER NUMBER

3743

DATE MAILED: 04/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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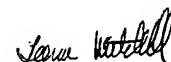
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Applicant's information disclosure statement of 1/10/05 was filed after the issue fee was paid. Information disclosure statements filed after payment of the issue fee will not be considered, but will be placed in the file. However, the application may be withdrawn from issue in order to file a request for continued examination (RCE) under 37 CFR 1.114 upon the grant of a petition under 37 CFR 1.313(c)(2), or a continuing application under 37 CFR 1.53(b) (or a continued prosecution application (CPA) under 37 CFR 1.53(d) if the CPA is for a design patent and the prior application of the CPA is a design application) upon the grant of a petition filed under the provisions of 37 CFR 1.313(c)(3). Alternatively, the other provisions of 37 CFR 1.313 may apply, e.g., a petition to withdraw the application from issue under the provisions of 37 CFR 1.313(c)(1) may be filed together with an unequivocal statement by the applicant that one or more claims are unpatentable over the information contained in the statement. The information disclosure statement would then be considered upon withdrawal of the application from issue under 37 CFR 1.313(c)(1).

As to the IDS submitted on 3/20/02, while Examiner Joseph Weiss in his office action mailed 2/11/03, noted that references were not present, it is apparent to Examiner Mitchell that all references in the IDS submitted on 3/20/02 were considered by Examiner Weiss as Examiner Weiss initialled and signed the 1449 IDS form on 2/11/03. Applicant re-submitted the 1449 IDS of 3/20/02 on 10/14/04, as there was some question whether the IDS originally filed had been reviewed by Examiner Joseph Weiss, however because Examiner Joseph Weiss had previously initialled and signed the 1449 (3/20/02) Examiner Mitchell did not sign or initial the re-submission of the 1449 (originally filed 3/20/02).


Teena Mitchell
Primary Examiner
Art Unit: 3743